

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

C.A. No. 04-11836RCL

TRANS-SPEC TRUCK SERVICE, INC.)
D/B/A TRUCK SERVICE,)

Plaintiff)

vs.)

CATERPILLAR, INC.,)

Defendant)

AUDIOVISUAL DEPOSITION OF JOSEPH
M. HOWARD, JR., a witness called on
behalf of the Defendant, pursuant to
Massachusetts Rules of Civil Procedure,
before Susan E. Wilson, Registered
Professional Reporter and Notary Public
in and for the Commonwealth of
Massachusetts, at the Law Offices of
Campbell, Campbell, Edwards & Conroy,
One Constitution Plaza, Boston,
Massachusetts, on Tuesday, May 3, 2005,
commencing at 9:43 a.m.

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1 though. I really think it happened
2 after that.

3 Q. Then, as I understand it, in the year
4 2001, there were two or three of these
5 trucks that had a flywheel housing
6 problem?

7 A. Yes.

8 Q. Is that consistent with your memory?

9 A. Yes.

10 Q. In the year 2001, were those flywheel
11 housing problems brought to your
12 attention?

13 A. Yes.

14 Q. Did you bring them to the attention of
15 anyone at Southworth-Milton or anyone at
16 Caterpillar?

17 A. Harry Calderbank.

18 Q. What did Harry say?

19 A. Where do you want to get it fixed.

20 Q. Did he say anything else?

21 A. No.

22 Q. Those problems were fixed under
23 warranty, correct?

24 A. Yes.